

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

JEAN CARLOS BAEZ-ALGARIN,  
CHRISTIAN DAVID TORRES-CEPESDES, and  
ANGEL VELEZ-TORRES,

Defendants.

**07 CRIM 1083**

COUNT ONE

The Grand Jury charges:

1. From at least in or about March 2007, up to and including on or about November 8, 2007, in the Southern District of New York and elsewhere, JEAN CARLOS BAEZ-ALGARIN, CHRISTIAN DAVID TORRES-CEPESDES, and ANGEL VELEZ-TORRES, the defendants, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JEAN CARLOS BAEZ-ALGARIN, CHRISTIAN DAVID TORRES-CEPESDES, and ANGEL VELEZ-TORRES, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 5 kilograms and more of mixtures and substances containing a detectable amount of

cocaine, in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

Overt Acts

3. In furtherance of the conspiracy, and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about May 2007, CHRISTIAN DAVID TORRES-CESPEDES, the defendant, flew from San Juan, Puerto Rico, to Newark Liberty International Airport ("Newark Airport").

b. On or about November 8, 2007, JEAN CARLOS BAEZ-ALGARIN, CHRISTIAN DAVID TORRES-CESPEDES, and ANGEL VELEZ-TORRES, the defendants, flew from San Juan, Puerto Rico, to Newark Airport onboard Continental flight 483.

c. On or about November 8, 2007, BAEZ-ALGARIN, TORRES-CESPEDES, and VELEZ-TORRES each retrieved from a baggage carousel at Newark Airport a bag, each of which contained more than 10 kilograms of cocaine.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, JEAN CARLOS BAEZ-ALGARIN, CHRISTIAN DAVID TORRES-CESPEDES, and ANGEL VELEZ-TORRES, the defendants, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

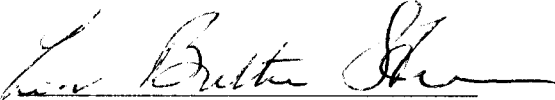
(4) has been substantially diminished in value; or

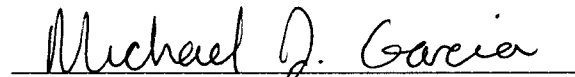
(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture

of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)

DEPUTY

  
Foreperson

  
MICHAEL J. GARCIA  
United States Attorney

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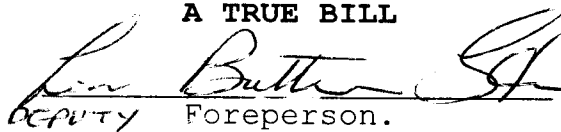
INDICTMENT

07 Cr.

(21 U.S.C. § 846;  
21 U.S.C. §§ 841(a)(1) and 853.)

MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL

  
deputy Foreperson.

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11/30/07 Case assigned to J Parley  
SS  
M J Parley